

Appendix of Forms

Sample 7

Application for Stay of Execution in a Habeas Corpus Capital Case

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

Plaintiff,

v.

Civil Case No:

Defendant.

**Application for Writ of Habeas Corpus;
Application for Appointment of Counsel; and
Request for Stay of Execution**

1. My name is John Doe, and I am a prisoner in state custody under a sentence of death. I was convicted and sentenced in the Multnomah County Circuit Court. My death sentence was affirmed by the Oregon Supreme Court on January 4, 1997, and my scheduled execution date is set for March 9, 1998.

2. I was tried and I am being held in violation of my federal constitutional rights, including¹:

Claim (1):

Claim (2):

Claim (3):

¹ State at least one federal ground for relief.

3. My lawyer in the most recent state court proceedings related to my conviction and death sentence has informed me that he is unable to represent me in this proceeding. I cannot afford to hire an lawyer. Therefore, I request that the court appoint a lawyer to represent me in my petition for writ of habeas corpus in this court.

4. I also ask that the court stay my execution until a lawyer has been appointed and that the court also allow me to amend my petition after my new lawyer has had a chance to help me.

5. I declare under penalty of perjury that the foregoing is true and correct.

DATED this _____ day of _____, 19 _____.

Signature of Prisoner
Typed or handwritten name
Prisoner ID number
Mailing Address, City, State and Zip Code